

On November 5, 1923, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

12189. Adulteration and misbranding of mineral water. U. S. v. Arthur W. Canfil (Grogan Wells & Boone Institute of Massage). Plea of guilty. Fine, \$50. (F. & D. No. 12890. I. S. No. 8750-r.)

On July 20, 1921, the United States attorney for the Northern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Arthur W. Canfil, trading as Grogan Wells & Boone Institute of Massage, Sweetwater, Tex., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about October 28, 1919, from the State of Texas into the State of Kansas, of a quantity of mineral water which was adulterated and misbranded. The article was labeled in part: "Grogan Mineral Water * * * Grogan Wells and Boone Institute of Massage — Sweetwater, Tex."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Mineral constituents	Milligrams per liter
Radicals:	
Nitrate (NO_3)	32.0
Chloride (Cl)	1,531.0
Sulphate (SO_4)	9,159.0
Bicarbonate (HCO_3)	638.0
Sodium (Na) (diff)	2,931.0
Magnesium (Mg)	1,055.0
Calcium (Ca)	615.0
Iron (Fe) and aluminum (Al)	4.5
Total	15,975.5
Compounds:	
Sodium nitrate (NaNO_3)	44.0
Sodium chloride (NaCl)	2,524.0
Sodium sulphate (Na_2SO_4)	5,948.0
Magnesium sulphate (MgSO_4)	5,222.0
Calcium sulphate (CaSO_4)	1,389.0
Calcium bicarbonate ($\text{Ca}(\text{HCO}_3)_2$)	834.0
Ferrous bicarbonate ($\text{Fe}(\text{HCO}_3)_2$)	14.0
Total	15,975.0

Examination by said bureau showed the presence of large numbers of bacteria and gas-forming organisms indicating that the water was polluted with filthy animal and vegetable substances.

Adulteration of the article considered as a food was alleged in the information for the reason that it consisted in whole or in part of a filthy and decomposed animal or vegetable substance.

Misbranding of the article considered as a drug was alleged in substance for the reason that certain statements, designs, and devices regarding the therapeutic and curative effects of the article, appearing on the labels of the bottles containing the said article, falsely and fraudulently represented it to be effective as a treatment, remedy, and cure for rheumatism, gastro-intestinal and all liver and kidney trouble, when, in truth and in fact, it was not.

On October 8, 1923, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

12190. Misbranding of currant juice. U. S. v. 100 Cans, et al., of Currant Juice. Decrees of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 18452, 18453. I. S. Nos. 15344-v, 15439-v. S. Nos. E-4769, E-4770.)

On March 10, 1924, the United States attorney for the District of Massachusetts, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying the seizure and condemnation of 100 cans and 82 cases of currant juice, remaining in

the original unbroken packages in part at Newton Center and in part at Boston, Mass., alleging that the article had been shipped by W. H. Pride & Co., from San Francisco, Calif., on or about January 29, 1924, and transported from the State of California into the State of Massachusetts, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Case) "Pride's Pure Currant Juice W. H. Pride & Co. Bellingham, Washington."

Misbranding of the article was alleged in the libels for the reason that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On March 19, 1924, W. H. Pride & Co., Bellingham, Wash., having entered an appearance as claimant for the property and having filed a satisfactory bond in conformity with section 10 of the act, judgment of condemnation was entered, and it was ordered by the court that the product might be released to said claimant upon payment of the costs of the proceedings.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

12191. Adulteration of walnut meats. U. S. v. 9 Cases of Walnut Meats. Decree entered providing for release of product under bond. (F. & D. No. 17319. I. S. No. 7695-v. S. No. W-1331.)

On March 24, 1923, the United States attorney for the District of Utah, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 9 cases of walnut meats, remaining in the original unbroken packages at Salt Lake City, Utah, alleging that the article had been shipped by the Sanitary Nut Shelling Co., from Los Angeles, Calif., on or about January 31, 1923, and transported from the State of California into the State of Utah, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Order Of Sanitary Nut Shelling Company."

Adulteration of the article was alleged in substance in the libel for the reason that it consisted wholly or in part of a filthy, decomposed vegetable substance.

On March 24, 1924, the Sanitary Nut Shelling Co., Los Angeles, Calif., claimant, having paid the costs of the proceedings and having taken the product down under a good and sufficient bond, in conformity with section 10 of the act, to be sorted under the supervision of this department, a decree of the court was entered ordering that it be released to the said claimant, such order to take effect as of the date of May 25, 1923.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

12192. Adulteration of shell eggs. U. S. v. Ezra Silver and Joseph Silver (J. A. Silver & Co.). Pleas of guilty. Fine, \$25 and costs. (F. & D. No. 17235. I. S. No. 3932-v.)

On August 2, 1923, the United States attorney for the Southern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Ezra Silver and Joseph Silver, copartners, trading as J. A. Silver & Co., Stockport, Iowa, alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about August 10, 1922, from the State of Iowa into the State of Illinois, of a quantity of shell eggs which were adulterated.

Examination by the Bureau of Chemistry of this department of 1,800 eggs from the consignment showed that 284 eggs, or 15.8 per cent of those examined, were inedible eggs, consisting of spot rots, mixed rots, and black rots.

Adulteration of the article was alleged in the information for the reason that it consisted in part of a filthy and decomposed and putrid animal substance.

On November 14, 1923, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$25 and costs.

HOWARD M. GORE, *Acting Secretary of Agriculture.*

12193. Adulteration of tomato paste. U. S. v. 294 Cases of Tomato Paste. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 18226. I. S. No. 17632-v. S. No. C-4241.)

On December 31, 1923, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 294 cases of tomato paste, remaining in the original